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IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,)	No. CR-07-671 JSW
)	
Plaintiff,)	
)	DEFENDANT’S SENTENCING
vs.)	MEMORANDUM
)	
PATRICE RAVEN,)	Date: March 20, 2008
)	Time: 2:30 p.m.
Defendant.)	Court: The Honorable Jeffrey S. White
)	
)	

Defendant Patrice Raven now appears before the Court, having pled guilty to one count of conspiracy to commit bank fraud in violation of 18 U.S.C. § 371. Ms. Raven is in accord with Guideline calculation contained within the re-released Final Presentence Report; the adjusted Offense Level is 8, and her Criminal History category is II. The recommended range under the advisory Guidelines is 4-10 months, and the Sentencing Commission has suggested that this sentence may be appropriately served in community confinement or under home confinement conditions.

Ms. Raven now respectfully requests the Court to adopt the sentencing recommendation contained in the parties’ plea agreement, which is 3 years of probation and \$11,965 in restitution.

1 The proposed sentence is very close to the recommended term under the Guidelines, and reflects
2 the many mitigating factors identified by the Probation Department in the Presentence Report
3 and the government in its sentencing memorandum. First, Ms. Raven is a single mother of two
4 minor children, and any period of incarceration she would need to serve under an alternate
5 sentence would leave these children without supervised care for the designated period of time.
6 Second, Ms. Raven's background does not reveal a lengthy or extensive criminal history. Third,
7 Ms. Raven has obtained employment as a supervisor of mentally disabled individuals who work
8 in low income fields. This, coupled with the fact that Ms. Raven has obtained her GED and
9 maintained good conduct on pretrial release, suggests that Ms. Raven's life is on the right path at
10 this point in time.

11 Should the Court desire to impose a sentence within the advisory Guideline range, Ms.
12 Raven is more than willing to serve, as a condition of probation, a period of four months on
13 electronic monitoring to fulfill the advisory sentence suggested by the Guidelines at Offense
14 Level 8, Criminal History II.

15 Accordingly, Ms. Raven respectfully requests the Court to impose the sentence proposed
16 in the plea agreement, which is supported and recommended by both the U.S. Probation
17 Department and the government. In the alternative, Ms. Raven respectfully requests the Court to
18 impose a sentence of three years of probation, with a special condition that she serve four months
19 on an electronic monitoring in accordance with the low end of the applicable Guideline range.

20 Dated: March 13, 2008

21 Respectfully submitted,

22 BARRY J. PORTMAN
23 Federal Public Defender

24 /S/

25 ELIZABETH M. FALK
26 Assistant Public Defender